

Appendices

Appendix 1 – Northland RPS – Issues and Objectives

Section 2 Issues

2.1 Fresh and coastal water

The key pressures on Northland's fresh and coastal water resources are:

- (a) Increasing demand for surface and ground water resources in some catchments;
- (b) Climate change;
- (c) Elevated levels of fine sediments, nutrients, and faecal pathogens in freshwater bodies, estuaries, and harbours, mainly from diffuse run-off and leaching from land used for primary production, eroding beds and banks of streams and rivers, historical human induced erosion, and in some areas discharges of untreated and poorly treated wastewater and stormwater.
- (d) Drainage and diversion of wetlands;
- (e) Water temperature outside of its natural ranges mainly due to the reduced extent and quality of riparian plant cover, and altered flows in streams and rivers in productive and urban environments; and
- (f) Dissolved oxygen outside of its natural ranges due to reduced riparian plant cover, excessive aquatic plant and algae growth, elevated levels of organic matter from discharges and run-off, and altered flows.

The significant consequences of these pressures include:

- (a) Modification and loss of aquatic ecosystems resulting in reduced diversity, abundance and range of indigenous species;
- (b) Reduction of natural character and amenity values;
- (c) Increased health risks from swimming at and eating shellfish and other mahinga kai from some popular recreational and cultural sites;
- (d) Increased health risks from drinking untreated water in some rural areas;
- (e) Diminished cultural and spiritual values of water and its associated ecosystems, particularly those of Māori (for example, mauri); and
- (f) Constraints on the productivity and expansion of water-dependent industries, due to reduced water quality and the finite and changing availability of water resources.

2.2 Indigenous ecosystems and biodiversity

The key pressures on Northland's indigenous terrestrial, freshwater, and coastal marine ecosystems and species are:

- (a) Elevated levels of fine sediments, nutrients, and faecal pathogens in freshwater bodies, estuaries, and harbours, mainly from diffuse run-off and leaching from land use for primary production, eroding beds and banks of streams and rivers, historical human induced erosion, and in some areas discharges of untreated and poorly treated wastewater and stormwater.
- (b) Pest species, including terrestrial, aquatic and marine pest plants, animals and organisms, and some domestic cats and dogs;
- (c) Modification and loss of wetlands, including by drainage and diversion of water within and adjoining wetlands and as a result of stock access; and
- (d) Fragmentation, loss and isolation of populations and communities of indigenous species due to habitat loss, land use changes and vegetation clearance.

2.3 Economic potential and social wellbeing

Northland has not effectively and sustainably managed its natural and physical resources to fully realise its economic potential and social wellbeing. Limiting factors include:

- (a) Common natural resources not being used and allocated efficiently, particularly where there is significant demand;
- (b) Subdivision, use and development, particularly residential development, that compromise either:
 - (i) existing and future productive activities and use of land; or
 - (ii) regionally significant infrastructure;

- (c) Regionally significant infrastructure not available or sufficient to support development and community needs;
- (d) Poor security of energy supply;
- (e) Degraded state and availability of natural resources;
- (f) Regulation and compliance costs deterring investment; and
- (g) Unjustified and inconsistent application of the Resource Management Act 1991 in district and regional plans.

2.4 Regional form

Unplanned and un-coordinated development and poor urban design can lead to reduced levels of amenity, higher infrastructure costs, and reduced community wellbeing

2.5 Issues of significance to tangata whenua – participation in resource management

The following issues have been identified by iwi authorities as regionally significant as they relate to tangata whenua participation in resource management:

- (a) There is inadequate provision for the early and effective participation of tangata whenua as partners in regional council resource management decision-making processes affecting natural and physical resources;
- (b) The lack of recognition and provision for the sustainable management of Māori land and returned Treaty settlement assets by tangata whenua;
- (c) Current use of Māori land may not provide for the sustainable social, cultural, economic and environmental wellbeing of tangata whenua. In particular, the importance and role of marae and papa kāinga has not been acknowledged in the past by the regional and district councils;
- (d) Mātauranga Māori is not sufficiently recognised and used in the ongoing management and monitoring of natural and physical resources; and
- (e) The inclusion of Māori concepts, values and practices within resource management processes is frequently limited and ineffective.

2.6 Issues of significance to tangata whenua – natural and physical resources

The following issues have been identified by iwi authorities as regionally significant as they relate to the state of, and pressures on, natural and physical resources:

- (a) The decline of the mauri of natural resources (in particular water and land). (See also Issue 2.1 – Fresh and coastal water);
- (b) The decline of mahinga kai, particularly kai moana harvesting sites, is impacting on the ability of tangata whenua to feed their whanau and manaaki manuhiri. (See also Issue 2.1 – Fresh and coastal water);
- (c) Some tangata whenua in rural areas are drinking untreated water from streams and rivers. (See also Issue 2.1 – Fresh and coastal water);
- (d) Land use and development can lead to damage, destruction and loss of access to wāhi tapu, sites of customary value and other ancestral sites and taonga which Māori have a special relationship with. (See also Issue 2.8 – Significant natural areas, features / landscapes and historic heritage);
- (e) The loss of indigenous biodiversity, particularly where it negatively impacts on the ability of tangata whenua to carry out cultural and traditional activities. (See also Issue 2.2 – Indigenous ecosystems and biodiversity);
- (f) The impacts of climate change. (See also Issue 2.7 – Natural hazards); and
- (g) The use of genetic engineering and the release of genetically modified organisms to the environment.

2.7 Natural hazards

Natural hazards, particularly flooding and coastal erosion and inundation, have the potential to create significant risk to human life, property, community and economic wellbeing

2.8 Natural character, features / landscapes and historic heritage

Many of Northland's natural features and landscapes, natural character, and historic heritage have been compromised and remain at risk as a result of:

- (a) The impacts of inappropriate subdivision, use and development. The primary activities of concern are built development, earthworks, significant water extractions / discharges to water, vegetation clearance and coastal structures;
- (b) A lack of active management; and
- (c) Inconsistent identification and protection.

Section 3: Objectives

3.1 Integrated catchment management

Integrate the management of freshwater and the subdivision, use and development of land in catchments to enable catchment-specific objectives for fresh and associated coastal water to be met.

3.2 Region-wide water quality

Improve the overall quality of Northland's fresh and coastal water with a particular focus on:

- (a) Reducing the overall Trophic Level Index status of the region's lakes;
- (b) Increasing the overall Macroinvertebrate Community Index status of the region's rivers and streams;
- (c) Reducing sedimentation rates in the region's estuaries and harbours;
- (d) Improving microbiological water quality at popular contact recreation sites, recreational and cultural shellfish gathering sites, and commercial shellfish growing areas to minimise risk to human health; and
- (e) Protecting the quality of registered drinking water supplies and the potable quality of other drinking water sources.

3.3 Ecological flows and water levels

Maintain flows, flow variability and water levels necessary to safeguard the life supporting capacity, ecosystem processes, indigenous species and the associated ecosystems of freshwater.

3.4 Indigenous ecosystems and biodiversity

Safeguard Northland's ecological integrity by:

- a) Protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna;
- b) Maintaining the extent and diversity of indigenous ecosystems and habitats in the region; and
- c) Where practicable, enhancing indigenous ecosystems and habitats, particularly where this contributes to the reduction in the overall threat status of regionally and nationally threatened species.

3.5 Enabling economic wellbeing

Northland's natural and physical resources are sustainably managed in a way that is attractive for business and investment that will improve the economic wellbeing of Northland and its communities.

3.6 Economic activities – reverse sensitivity and sterilisation

The viability of land and activities important for Northland's economy is protected from the negative impacts of new subdivision, use and development, with particular emphasis on either:

- (a) Reverse sensitivity for existing:
 - (i) Primary production activities;
 - (ii) Industrial and commercial activities;
 - (iii) Mining*; or
 - (iv) Existing and planned regionally significant infrastructure; or
- (b) Sterilisation of:
 - (i) Land with regionally significant mineral resources; or
 - (ii) Land which is likely to be used for regionally significant infrastructure.

*Includes aggregates and other minerals.

3.7 Regionally significant infrastructure

Recognise and promote the benefits of regionally significant infrastructure, (a physical resource), which through its use of natural and physical resources can significantly enhance Northland's economic, cultural, environmental and social wellbeing

3.8 Efficient and effective infrastructure

Manage resource use to:

- (a) Optimise the use of existing infrastructure;
- (b) Ensure new infrastructure is flexible, adaptable, and resilient, and meets the reasonably foreseeable needs of the community; and
- (c) Strategically enable infrastructure to lead or support regional economic development and community wellbeing.

3.9 Security of energy supply

Northland's energy supplies are secure and reliable, and generation that benefits the region is supported, particularly when it uses renewable sources.

3.10 Use and allocation of common resources

Efficiently use and allocate common natural resources, with a particular focus on:

- (a) Situations where demand is greater than supply;
- (b) The use of freshwater and coastal water space; and
- (c) Maximising the security and reliability of supply of common natural resources for users.

3.11 Regional form

Northland has sustainable built environments that effectively integrate infrastructure with subdivision, use and development, and have a sense of place, identity and a range of lifestyle, employment and transport choices.

3.12 Tangata whenua role in decision-making

Tangata whenua kaitiaki role is recognised and provided for in decision-making over natural and physical resources

3.13 Natural hazard risk

The risks and impacts of natural hazard events (including the influence of climate change) on people, communities, property, natural systems, infrastructure and our regional economy are minimised by:

- (a) Increasing our understanding of natural hazards, including the potential influence of climate change on natural hazard events;
- (b) Becoming better prepared for the consequences of natural hazard events;
- (c) Avoiding inappropriate new development in 10 and 100 year flood hazard areas and coastal hazard areas;
- (d) Not compromising the effectiveness of existing defences (natural and man-made);
- (e) Enabling appropriate hazard mitigation measures to be created to protect existing vulnerable development; and
- (f) Promoting long-term strategies that reduce the risk of natural hazards impacting on people and communities.
- (g) Recognising that in justified circumstances, critical infrastructure may have to be located in natural hazard-prone areas.

3.14 Natural character, outstanding natural features, outstanding natural landscapes and historic heritage

Identify and protect from inappropriate subdivision, use and development;

- (a) The qualities and characteristics that make up the natural character of the coastal environment, and the natural character of freshwater bodies and their margins;
- (b) The qualities and characteristics that make up outstanding natural features and outstanding natural landscapes;
- (c) The integrity of historic heritage.

3.15 Active Management

Maintain and / or improve;

- (a) The natural character of the coastal environment and fresh water bodies and their margins;
- (b) Outstanding natural features and outstanding natural landscapes;
- (c) Historic heritage;

- (d) Areas of significant indigenous vegetation and significant habitats of indigenous fauna (including those within estuaries and harbours);
- (e) Public access to the coast; and
- (f) Fresh and coastal water quality by supporting, enabling and positively recognising active management arising from the efforts of landowners, individuals, iwi, hapū and community groups.

Appendix 2 – List of Relevant Legislation

Health Act 1956

The Health Act 1956 control nuisances, offensive trades, and the handling and storage of noxious substances.

Soil Conservation and Rivers Control Act 1941

The purpose of this Act is to make provision for the conservation of soil resources, the prevention of damage by erosion and make better provision for the protection of property from damage by floods.

Litter Act 1979

The Litter Act was established to make better provision for the abatement and control of litter. The Act is a basic mechanism for local government to prevent littering. The functions of the Act include: establishing enforcement officers and litter wardens who may issue fines and abatement notices for litter offences.

Civil Aviation Act 1990

The Civil Aviation Act 1990 governs New Zealand's civil aviation system and sets the overall framework for aviation safety, security and economic regulation.

Reserves Act 1977

The Reserves Act 1977 provides for the preservation and management of areas for their conservation values or public recreational and education values. This Act applies to reserves administered by the Department of Conservation, Far North District Council and other appointed organisations.

National Parks Act 1980

The National Parks Act 1980 aims to preserve national parks in perpetuity for their intrinsic worth and for the benefit use and enjoyment of the public. This Act sets out the principles for preserving the national parks and the functions and management of the parks. Each National Park has a Management Plan which sets out the issues, objectives and policies for the preservation, use and management of the park.

Conservation Act 1987

The Conservation Act 1987 promotes the conservation of New Zealand's natural and historic resources. The Open Space Chapter and Rural Zone Chapter complement the provisions of Conservation Management Strategies prepared under the Conservation Act.

Electricity Act 1992

The Electricity Act 1992 provides for the regulation, supply and use of electricity in New Zealand, including the health and safety of members of the public, prevention of damage to property.

Gas Act 1992

The Gas Act 1992 provides for the regulation, supply and use of gas in New Zealand, and also regulates the gas industry, protects the health and safety of members of the public, and promotes the prevention of damage to property in connection with the supply and use of gas.

Te Ture Whenua Maori Act (Maori Land Act) 1993

Te Ture Whenua Māori Act is the primary legislation for Māori land. It aims to balance the protection of Māori land for future generations with the ability to use and develop land to meet the aspirations of whānau. It is intended to be exercised, as far as possible, in a manner that facilitates and promotes the retention, use, development, and control of Maori land as taonga tuku iho by Maori owners, their whanau, their hapu, and their descendants, and that protects wahi tapu.

Hazardous Substances and New Organisms Act 1996

Hazardous Substances and New Organisms (HSNO) Act 1996 which provides a comprehensive framework for controlling hazardous substances during their whole life cycle, from manufacturing and importing a substance, and its transportation and storage, through to its use and disposal. Councils may place additional and/or more stringent requirements on the storage, use, disposal or transportation of hazardous substances for the purposes of the RMA (to meet site specific requirements or location characteristics).

Land Transport Act 1998

The Land Transport Act 1998 promotes safe road user behaviour and vehicle safety (including the safe transportation of hazardous substances); provides for a system of rules governing road user behaviour, the licensing of drivers and technical aspects of land transport; recognises reciprocal obligations of persons involved; consolidates and amends various enactments relating to road safety and land transport; enables New Zealand to implement international agreements relating to road safety and land transport.

Telecommunications Act 2001

The Telecommunications Act 2001 regulates the supply of telecommunications services.

Local Government Act 2002

The Local Government Act 2002 (LGA) provides for democratic and effective local government that recognises the diversity of New Zealand communities under which Councils are required to prepare a Long Term Plan.

Civil Defence Emergency Management Act 2002

The Civil Defence Emergency Management Act 2002 is based on the “four Rs”, being ‘reduction’ (of risk), ‘readiness’ (for an event), ‘response’ (when an event occurs), and ‘recovery’ (post event). In brief, this Act puts in place the framework for action pre and post a natural hazard event, and complements the responsibilities in other legislation. A key feature of implementing this Act is the establishment of Civil Defence Emergency Management (CDEM) groups in each region with representatives from the Regional Council, District Council, Police, Fire Serve and Health Services.

Land Transport Management Act 2003

The Land Transport Management Act 2003 provides strategic direction for the national and regional land transport system. It directs planning frameworks for future investment decisions and research related to land transport. It sets out the requirements and processes for local authorities to obtain funding for road construction and maintenance.

Building Act 2004

The Building Act 2004, amongst other things, provides for the regulation of building work; compliance with the building code; safe storage of hazardous substances and the risks associated with new building in areas susceptible to of natural hazards.

Land Transport (Road User) Rule 2004

This rule establishes the rules under which traffic operates on roads. It applies to all road users, whether they are drivers, riders, passengers, pedestrians, or leading or droving animals.

Railways Act 2005

The Railways Act 2005 sets out the requirements for the licensing of rail operations in New Zealand. It covers both light and heavy railways. It also includes basic safety obligations of operators and the general public when near a railway, as well as the powers the railway operators have to protect and manage the railway corridor.

Utilities Access Act 2010

The Utilities Access Act 2010 requires utility operators and corridor managers to comply with a national code of practice that regulates access to transport corridors and provides for the making and administration of that code.

Sale and Supply of Alcohol Act 2012

The Sale and Supply of Alcohol Act 2012 covers the safe and responsible sale, supply, and consumption of alcohol and the minimisation of harm caused by its excessive or inappropriate use.

Food Act 2014 / Ture Kai 2014

The Food Act 2014 helps make sure that food sold throughout New Zealand is safe. A central feature of the Act is a sliding scale where businesses that are higher risk, from a food safety point of view, will operate under more stringent food safety requirements and checks than lower-risk food businesses.

Heritage New Zealand Pouhere Taonga Act 2014

The Heritage New Zealand Pouhere Taonga Act 2014 sets out the statutory responsibilities for Heritage New Zealand for the protection of archaeological sites (Sections 42 and 43) and the purpose of the Heritage List/Rārangi Korero in assisting the protection of historic places (Section 65).

Fire and Emergency New Zealand Act 2017

The Fire and Emergency New Zealand Act 2017 (the FENZ Act) came into force on 1 July 2017. It created a single, unified fire services organisation for New Zealand by repealing the Fire Service Act 1975 and the Forest and Rural Fires Act 1977.

Health and Safety at Work (Hazardous Substances) Regulations 2017

The Health and Safety at Work (Hazardous Substances) Regulations 2017 set out the rules for work-related activities involving hazardous substances.

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Appendix 3 – Summary of Operative District Plan History

Further details can be found at:

<https://www.fndc.govt.nz/files/assets/public/objectivedocuments/policy-and-planning-pol/district-plan/administration/full-plan-update-schedule.pdf>

| Plan Change | Operative Date |
|--|-----------------------|
| Plan Change 1 – Renewable Energy and Energy Efficiency | 10 September 2010 |
| Plan Change 2 – Borneo Investments Limited | 10 September 2010 |
| Plan Change 3 – Kerikeri Falls Investment Limited | 10 September 2010 |
| District Plan Mapping Errors | |
| Plan Change 4 – Schedule of Notable Trees and Schedule of Historic Sites, Buildings and Objects (Pioneer Village) | 20 May 2011 |
| Plan Change 5 – Definitions and Clarification Amendments | 15 August 2011 |
| Plan Change 6 - Technical Amendments to the Subdivision Chapter | 15 August 2011 |
| Designations Update | 22 August 2011 |
| Minor Amendments pursuant to Clause 20A of the First Schedule of the Act | 15 September 2011 |
| Plan Change 9 – Minor District Plan Map Amendments | 14 March 2012 |
| Designations Update | 13 April 2012 |
| Plan Change 10 - Vegetation Clearance Amendments | 16 May 2012 |
| Minor Amendments pursuant to Clause 20A of the First Schedule of the Act – National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect human Health 2011 References | 8 June 2012 |
| Appendix 7 Statutory Acknowledgements | 11 July 2012 |
| Minor Amendments pursuant to Clause 20A of the First Schedule of the Act | 30 July 2012 |
| Designation Updates | 3 September 2012 |
| Designation Updates | 8 November 2012 |
| Plan Change 11 – Review of Heritage Schedules | 14 December 2012 |
| Minor Amendments pursuant to Clause 20A of the First Schedule of the Act | 17th December 2013 |
| Plan Change 13 – Technical Amendments | 17th December 2013 |
| Minor Amendments pursuant to Clause 20A of the First Schedule of the Act | 11 February 2015 |
| Designations Update | 11 February 2015 |
| Plan Change 14 – Removal of Chapter 12.6 (Air) | 11 February 2015 |
| Plan Change 17 – Review of Impermeable Surfaces Provisions | 11 February 2015 |
| Minor Amendments pursuant to Clause 20A of the First Schedule of the Act | 4 June 2015 |
| Plan Change 12 – Paihia Mission Heritage Area | Operative 4 June 2015 |

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| Appendix 7 Statutory Acknowledgments Update | 16 May 2016 |
| Minor Amendments pursuant to Clause 20A of the First Schedule of the Act | 20 April 2017 |
| Designation updates | 20 April 2017 |
| Plan Change 19 – Chapter 16 Signs and Lighting | 20 April 2017 |
| Plan Change 21 – National Policy Statement on Electricity Transmissions (NPSET) | 20 April 2017 |
| Plan Change 15 – Rural Provisions | 1 September 2017 |
| Designation update | 13 October 2017 |
| Plan Change 20 – Traffic, Parking and Access | 13 October 2017 |
| Minor Amendments pursuant to Clause 20A of the First Schedule of the Act | November 2017 |
| Minor Amendments pursuant to Clause 20A of the First Schedule of the Act | May 2018 |
| Minor Amendments pursuant to Clause 20A of the First Schedule of the Act: National Environmental Standard for Plantation Forestry (NES PF) | 1 May 2018 |
| Minor Amendments pursuant to Clause 20A of the First Schedule of the Act | 19 September 2018 |
| Plan Change 18 – Genetically Modified Organisms (GMOs) | 19 September 2018 |
| Designation update | 25 March 2019 |
| Minor Amendments pursuant to Clause 20A of the First Schedule of the Act | 25 March 2019 |
| Private Plan Change 22 – Inlet Estate Limited | 25 March 2019 |
| Appendix 7 Statutory Acknowledgments Update | 30 July 2019 |

Appendix 4 – Section 35 Efficiency and Effectiveness Review (2020)

Appendix 5 – Summary of ‘Put a Pin on it’ (2016)

Appendix 6 – Summary of Feedback on the Draft District Plan (2019)

Appendix 7 – Summary of Evaluation of s.31 Plan Enabled Housing Supply